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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
KNOXVILLE DIVISION

FILED

2009 JUN 26 P 3:18

ROBERT S. HOLLAND, TRUSTEE,

Plaintiff,

v.

REASSURE AMERICA LIFE INSURANCE
COMPANY,

Defendant.

U.S. DISTRICT COURT
EASTERN DIST. TENN.

BY _____ DEPT. CLERK

Civil Action No.

Judge

3:09-cv-282
Varian (Shurley)

NOTICE OF REMOVAL

Defendant Reassure America Life Insurance Company ("Reassure America" or "Defendant"), hereby gives notice of removal of the civil action captioned *Robert S. Holland, Trustee v. Reassure America Life Insurance Company*, in the Circuit Court for Knox County, Tennessee, Docket No. 1-255-09 to the United States District Court for the Eastern District of Tennessee. This Notice of Removal is filed pursuant to 28 U.S.C. §§ 1441(a) and 1446. As grounds for removal, Reassure America states as follows:

1. Robert S. Holland, Trustee ("Holland" or "Plaintiff") commenced this action by Complaint filed on May 21, 2009 in the Circuit Court for Knox County, Tennessee. Pursuant to 28 U.S.C. § 1446(a), copies of all process, pleadings, and orders received by Reassure America are attached hereto collectively as Exhibit 1.

2. Reassure America received a copy of the Complaint on or about June 8, 2009. Accordingly, this Notice of Removal is timely under 28 U.S.C. § 1446(b), which provides that the Notice of Removal of a civil action shall be filed within thirty (30) days after receipt by the Defendant, through service or otherwise, of a copy of the initial pleading.

3. This is a civil action over which this Court has original jurisdiction under 28 U.S.C. § 1332, and which may be removed under 28 U.S.C. § 1441(a), in that the amount in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, as Holland seeks damages of at least \$500,000; Plaintiff Holland is a citizen of Tennessee; and Defendant Reassure America is a corporation with its principal place of business and state of incorporation in a state other than Tennessee; and, therefore, there is complete diversity between Holland and Reassure America.

4. Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal is being served on Plaintiff's counsel and filed with the Clerk of the Circuit Court for Knox County, Tennessee.

WHEREFORE, this Court has jurisdiction pursuant to 28 U.S.C. § 1332(a) based on diversity of citizenship between the Plaintiff and Reassure America, and removal pursuant to 28 U.S.C. § 1441(a) is appropriate.

Respectfully submitted,

**REASSURE AMERICA LIFE
INSURANCE COMPANY**

By: /s/ Martin B. Bailey
Martin B. Bailey, BPR #015370
WAGNER, MYERS & SANGER, P.C.
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(865) 525-4600
(865) 291-0419 (fax)
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on June 26, 2009, a copy of the foregoing Notice of Removal was filed and a true and exact copy of the foregoing document has been served upon opposing counsel, by First Class U.S. Mail, postage prepaid, addressed as follows:

Robert S. Holland
HOLLAND LAW
308 Cogdill Rd., N.W.
Knoxville, Tennessee 37922-2090

/s/Martin B. Bailey
Martin B. Bailey